

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN A. RAPANOS, et al.,

Defendants.

No. 94-CV-70788-BAF

HON. BERNARD A. FRIEDMAN

STIPULATED ORDER APPROVING SAGINAW BASIN LAND CONSERVANCY

Pursuant to the United States' Motion for Approval of Saginaw Basin Land Conservancy, and for good cause shown, the Court approves the Saginaw Basin Land Conservancy, a Michigan non-profit corporation at 311 Fifth Street, P.O. Box 222, Bay City, Michigan, 48707, as the independent third party with conservation management experience to which Defendants shall transfer the mitigation project acreage in accordance with the Consent Decree entered March 18, 2009. A further order shall issue upon Dr. Gary Pierce's recommendation to the Court as to the amount of funds necessary to maintain the transferred wetlands in perpetuity.

STIPULATED BY THE PARTIES:

/s/ Daniel R. Dertke
U.S. Department of Justice
Environment & Natural Resources Division
Environmental Defense Section
P.O. Box 23986
Washington, D.C. 20026
(202) 514-0994
Daniel.Dertke@usdoj.gov

/s/ Kristi L. Kozubal
Rapanos Investment Group
General Counsel
925 East Wheeler St.
Midland, Michigan 48642
(989) 839-0541
kristi@klklegal.com

IT IS SO ORDERED.

DATED: May 5, 2010

s/Bernard A. Friedman _____
BERNARD A. FRIEDMAN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on May 5, 2010.

s/Deborah J. Goltz _____
DEBORAH J. GOLTZ
Case Manager